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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/528,274

03/17/2005

Koichi Iida

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08/20/2009

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EXAMINER

THEIN, MARIA TERESA T

ART UNIT

PAPER NUMBER

3627

NOTIFICATION DATE

DELIVERY MODE

08/20/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/528,274 | <b>Applicant(s)</b><br>IIDA ET AL. |  |
|                              | <b>Examiner</b><br>MARISSA THEIN     | <b>Art Unit</b><br>3627            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/7/09</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicants' "Amendment under 37 CFR §1.111" filed on May 7, 2009 has been considered.

Claim 1 is amended. Claim 1 remains pending.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on May 7, 2009 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,058,587 to Horne in view of U.S. Patent No. 5,963,919 to Brinkley et al.**

Horne discloses a system for computing an order quantity of parts, comprising: required part quantity computing means for computing a required quantity of the parts based on the production schedule (actual requirement; table 11. col. 6, lines 48-49); actual inventory quantity checking means for checking an actual quantity of inventory of the parts (on hand parts inventories; table 3, col. 8., lines 21-25); first part order quantity computing means for computing a first part order quantity for a predetermined first

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period of time based on the computed required quantity of the parts and the checked actual quantity of inventory of the parts (customer orders, table 3, col. 7, lines 64-67; col. 18, lines 14-25; col. 15, line 24-col. 16, line 59; col. 25, lines 16-51); tentative inventory quantity computing means for computing a tentative quantity of inventory of the parts based on a past order record of the parts and a production record of the product (col. 5, lines 25-35; col. 21, lines 60-64); second part order quantity computing means for computing a second part order quantity for a predetermined second period of time, longer than the predetermined first period of time, based on the computed required quantity of the parts and the computed tentative quantity of inventory of the parts (customer orders, table 3, col. 7, lines 64-67; col. 18, lines 14-25; col. 15, line 24-col. 16, line 59; col. 25, lines 16-51); and part ordering means for ordering parts (customer orders, table 3, col. 7, lines 64-67); standard price inputting means for inputting a standard price to be compared with the inputted price of the parts (col. 25, line 26); standard price storing means for storing the inputted standard price (col. 25, line 26); and selecting means for comparing the inputted price with the stored standard price and for selecting the first part order quantity computing means when the inputted price is greater than the stored standard price, while for selecting the second part order quantity computing means when the inputted price is equal or to less than the store standard price (col. 31, lines 17-35; col. 39, lines 36-47; col. 40, lines 46-51; col. 41, lines 57-col. 42, line 14).

However, Horne does not explicitly a price data inputting means for inputting a price data of the parts; and part pricing data storing means for storing the inputted price of parts.

Brinkley discloses a price data inputting means for inputting a price data of the parts (order cost...user-specified input parameters, col. 9, lines 1-9); part pricing data storing means for storing the inputted price of parts (col. 3, lines 36-52; col. 7, lines 62-col. 8, line 5)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Horne, to include a price data inputting means for inputting a price data of the parts; and part pricing data storing means for storing the inputted price of parts, as taught by Brinkley, in order to provide user-specified input parameters (Brinkley, col. 9, lines 8-9), thus providing an efficient and flexible way of managing the system (Brinkley, col. 3, lines 55-56).

### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/  
Supervisory Patent Examiner, Art  
Unit 3687

/M. T./  
Examiner, Art Unit 3627  
August 17, 2009